Secl. II 27—104,096—4-11-49.

P-W (195/) Department.

M SERIES.

G.O. NO. 267

26 X

Dated 19-1-51

W 1/

[Despatch Abstract.]

ELECTRICITY - Colleges Distribution Scheme - Changeover from D.C. to A.C. system - Compensation - Arbitration committee- Orders issued

Urgent.

Electricity Department.

From

The Chief Operation Engineer (South),
157, Mount-Road, Madras.

To

The Secretary to Government,
Public Works Department,
Madras.

No.18-I/50-3 dated 11th July, 1950.

Sir,

Sub: Electricity - Kollegal Distribution Scheme - Change over of Consumer's equipment from D.C. 50 to 25 A.C. - Claim for compensation by Sri K.V.Adinarayana Settiar, Kollegal - Arbitration.

...

Ref: G.O.Ms.2373 P.W.D. dated 2-7-1948.

.....

In theG.O. cited above Government approved the procedure for the changeover of supply from 50 cycles to 25 cycles and of D.C. to A.C. systems at Kollegal and Hindupur when Mysore power supply is extended to these places.

Mysore power supply is distributed at Kollegal and the Electrical undertaking of the Kollegal Panchayat Board has been acquired by the Department.

Consequent on the changeover, compensation had to be paid to the consumers in the area for the changeover of their equipments.

One of the consumers, Sri K.V.Adinarayana Settiyar of Kollegal, who was intimated of the changeover, issued a notice to the Department stating that he was entitled to a sum of Rs.3409-4-6 by way of compensation for the changeover of his equipments instead of the compensation amount of Rs.1353/- fixed by the Department based on quotations for similar equipments received from reputable firms.

The party has since received payment of the sum of Rs.1353/- conditionally, without prejudice to his claims and subject to the result of an arbitration to be set up with reference to para 5 of the G.o. cited above.

As a difference of opinion has arisen between the Department and Sri K.V.Adinarayana Settiyar, in regard to the amount of compensation payable, I request that Government may kindly appoint an arbitration Committee with reference to para 5 of the G.O. cited for settling the dispute. The Superintending Engineer, Pykara Electricity System will represent the Department on the arbitration committee.

I request urgent orders of Government in the matter.

N. Venkataraman

sv.12-7-50.

For Chief Operation Engineer (South).

3.

P.W.D. (P).

Memo.No. 3396 P/80-3 dated 30-8-80

Sub:- ELECTRICITY--Kollegal Distribution Scheme--Change over from D.C. to A.C.. Compensation--Claim--Arbitration.

In G.O.No.2373 P.W. dated 2-7-1948 (copy enclosed) the Govt. approved the procedure, and draft form of notice, and of declaration for the change over of electric supply from 50 cycles to 25 cycles and of D.C. to A.C. system at Kollegal and Hindupur, when Mysore Power supply was extended to those places. Paragraph 5 of Appendix to that G.O. stipulates that where compensation has to be paid to the consumer it has to be settled by negotiation between Govt. Engrs. and the consumer but where this negotiation is not successful, the matter is to be referred to arbitration by a committee appointed by Govt. for the purpose, consisting of one of the District Munsifs at Coimbatore in the case of Kollegal and the District Munsifs of Penukonda in the case of Hindupur as the case may be, and one Elecl. Engineer either from the Office of the C.E.I.G. or from the Govt Elecy. Department, Madras.

2. Mysope power supply is now distributed at Kollegal and the Elecl. undertaking of the Kollegal Panchayat Board has been acquired by the Govt. Elecy. Department. Consequent on the change over from D.C. to A.C. system, compensation has to be paid to the consumers in the area for the change over of their equipments. One of the consumers Sri K.V.Adinarayana Settiar, Kollegal, has since received payment of Rs.1353/- from the Elecy. Dept. conditionally without prejudice to his claim for Rs. 3409-4-6 by way of compensation and subject to the result of an arbitration to be set up with reference to paragraph 5 of Appendix to G.O.No.2373 P.W. dated 2-7-48. The arbitration Committee will consist of one of the District Munsifs of Coimbatore and the Superintending Engineer, Pykara Elecy. System. In the circumstances and also in view of the necessity for such arbitration committees in future, the Registrar, ~~The~~ Madras High Court is

and communicate at an early date

requested to obtain the approval of the Hon'ble the Judges of the High Court for the appointment as arbitration of one of the District Munisfs at Coimbatore in the case of Kollegal and the District ~~and Mun-~~ siff of Pennkonda in the case of Hindupur, ~~and communicate at an early date.~~] A

Lendwe
pl
6/9

To the Registrar,
The High Court,
Madras (with encl).

To the C.O.E.(S) w.r.t.
his letter No.18-I/50
8. dated 11-7-50.

5/

ROC.No.8390/50-B2.

From

Sri V. Krishnaswami, B.A.,B.L.,
Assistant Registrar,Appellate Side,
High Court, M a d r a s.

To

The Secretary to Government,
Public Works Department, Madras.

4713

Dated, Madras, the 9th October 1950.

Sir,

SUB: Electricity - Kollegal Distribution Scheme - Change over from D.C. to A.C. - Compensation - Arbitration Committees.
REF: Memo.No.3396-P/50-3 from Public Works Department d/30-8-50.

I am to say that the Hon'ble the Judges agree to the appointment of the District Munsif, Penukonda as a member of the arbitration Committee in the above scheme. The Hon'ble the Judges further consider that the Principal District Munsif, Coimbatore, Sri V.Balasubramania Chettyar may be appointed to be a member of the Committee, in case the Committee sits at Coimbatore or that the Deputy Collector, Kollegal, who is the ex-officio District Munsif of the place may be appointed, if the Committee's sittings are at Kollegal.

V. Krishnaswamy 9.x.50
ASSISTANT REGISTRAR
APPELLATE SIDE.

RG/

P.W.D.(P).

G.O.Ms.No. 267 Dated. 19-1-1954

ELECTRICITY-Kollegal Distribution Scheme--Changeover from D.C. to A.C. System--Compensation--Arbitration Committee--Orders issued.

Read:- G.O.No. 2373 P.W. dated 2-7-1948.
From the C.O.E.(S) Lr.No.18.I/50-3 dated 11-7-50.
From the Asst. Regr., Appolate Side, High Court, Madras.No.8390/50.B.2. dated 8-10-1950.

In G.O.No.2373 P.W.d/2-7-1948, the Govt. approved the proceedure, and the draft forms of notice and of declaration for the changeover of electric supply from 50 cycles to 25 cycles and of D.C. to A.C. system at Kollegal and Hindupur, in connection with the extension of Mysore Power supply to these places. Paragraph 5 of the Appendix to that G.O. stipulates that where compensation has to be paid to the consumer it has to be settled by negotiation between Govt. Engineers and the consumer, but where this negotiation is not successful, the matter is to be referred to arbitration by a committee consisting of one of the Dt. Munsifs at Coimbatore in the case of Kollegal and the Dt. Munsif, Penukonda, in the case of Hindupur, as the case may be, and one Elecl. Engr. either from the office of the C.E.I.G. or from the Elecy. Dept. The Hon'ble the Judges of the High Court agree to the appointment of the Dt. Munsif, Penukonda, as a member of the arbitration Committee in the above scheme, and consider that the Principal Dt. Munsif, Coimbatore, may be appointed to be a member of the Committee, in case the committee sits at Coimbatore or the Dy. Collector, Kollegal, who is the ex-officio Dt. Munsif of the place, if the committee's sittings are at Kollegal. His Excellency the Governor of Madras approves the proposal and directs--

(a) that the District Munsif, Penukonda, be appointed as a member of the Arbitration Committee for the Hindupur area; and

(b) that in the case of the Arbitration Committee

for the Kollegal area, the Principal District Munsif, Coimbatore, be appointed as a member of the Committee when it sits at Coimbatore, and the Deputy Collector, Kollegal, who is ex-officio the District Munsif, Kollegal, be appointed as a member of the Committee when it sits at Kollegal.

2. H.E. the Governor of Madras also directs that an arbitration Committee consisting of the following officers be appointed for settling the dispute between the Govt. Elecy. Dept., Madras, and Sri K.V.Adinarayana Settiar, Kollegal, regarding the amount of compensation payable to him for the changeover of electric supply from 50 cycles to 25 cycles and of D.C. to A.C. system at Kollegal:-

(1) The S.E., Pykara Elecy. System.

(2) The Principal Dt. Munsif, Coimbatore, in case the Committee sits at Coimbatore or the Dy. Collector, Kollegal, who is the ex-officio Dt. Munsif of the place, if the Committee sits at Kollegal.

27.1.51
27.1.51
4-5-1-51

5-1-51

To the C.O.E.(S).
To the A.G.thro' Fin.
To the C.E.I.G.
To the Regr., High Court, Madras.
To the Principal Dt. Munsif, Coimbatore through Regr., High Court, Madras.
To the Dy. Collector, and Ex. Officio Dt. Munsif, Kollegal, thro' Regr. High Court, Madras
To the Bd. of Rev. (I.R.).

P.W.D.(P).

ELECTRICITY--Kollegal Distribution Scheme--Change over of Consumers' equipment from D.C.50 to 25 A.C.--Claim for compensation by Sri K.V.Adinarayana Settiar, Kollegal--Arbitration.

Ref:- G.O.No.2373 P. W. dated 2-7-1948.
From the C.O.E.(S) Lr.No.18 I/50-3 dated 11-7-50

In G.O.No.2373 P.W. dated 2-7-48, the Govt. approved the proceedure proposed by the C.O.E.(S) (then G.S.O.S.) for the change over of supply from 50 cycles to 25 cycles and of D.C. to A.C. system at Kollegal and Hindupur when Mysore power supply was extended to these places. The draft forms of notice and of declaration and the proceedure for such changing over were also approved by Govt. Paragraph 5 of the Appendix to that G.O. stipulates that where compensation has to be paid, to the consumer, this has to be settled by negotiation between Govt. Engineers and the consumer, but where this negotiation is not successful, the matter is to be referred to arbitration by a committee appointed by the Govt. for the purpose consisting of one of the Dt. Munisffs at Coimbatore in the case of Kollegal and the Dt. Munsiff of Penukonda in the case of Hindupur as the case may be, and one Elecl. Engineer either from the Office of the Chief Electrical Inspector to Govt. or from the Elecy. Dept.

2. Mysore Power supply is distributed at Kollegal and the Elecl. undertaking of the Kollegal Panchayat Bd. has been acquired by the Elecy. Dept.. Consequent on the change over from D.C. to A.C. system, Compensation had to be paid to the consumers in the area for the change over of their equipments. One of the consumers Sri K.V.Adinarayana Settiar of Kollegal has since received payment of the sum of Rs.1353/- ~~p.m.~~ from the department conditionally without prejudice to his claims for Rs.3409-4-6 by way of compensation. The C.E.O.E.(S) has now asked for appointment of an arbitration committee to ~~see~~

arbitrate the claim of Sri K.V.Adinarayana Chettiar with reference 'A' on p~~l~~ In the arbitration Committee, the members will be the District Munsiffs of Coimbatore and the S.E.Pykara Elecy. System.

3. In order to appoint one of the District Munsiffs of Coimbatore in the arbitration Committee, it appears that the permission of ~~the~~ Hon'ble the Chief Justice would be necessary. Before the issue of orders in ~~G.O. No.2373 P.W. dated 2-7-1949,~~ no such permission was however obtained from Hon'ble the Chief Justice for such appointments. However in view of the specific instance, that has now arisen, it appears that a general approval of Hon'ble the Chief Justice for such appointments viz., one of the District Munsiffs at Coimbatore in the case of Kollegal and the District Munsiff of Penukonda in the case of Hindupur may be obtained first before orders are issued in the present case.

4. Home and Legal may see for remarks.

28.7.50 28.7.50 28.7.50 27/7/50 Home Legal

P.W 3396 P/50-1
29-7-50

Home Dept

Please see the note of P.W. Dept on H.1-2 above. This dept. may agree to the ~~Govt~~ High Court being addressed in the matter, as suggested at A above and the file passed on to Legal.

ASSISTANT SECRETARY TO GOVERNMENT 2 AUG 1950 HOME DEPARTMENT

3.8.50 31/8/50 31/8/50 31/8

Legal dept

ASSISTANT SECRETARY 12436 4 AUG 1950 LEGAL DEPARTMENT

A above may be done
K.N.I. 9/8/50

Home U.O. 10779 8 COS I/50-1
30.8.50.

3744 P.W.D. 2 AUG 1950 P PUBLIC WORKS DEPARTMENT

Leg. U.O. 12436/50-1
9-8-50.

P.W.D.(P)

Please see Home and Legal notes on p 2 ante. Only Communications as are very important and require the personal attention of the Hon'ble the Chief Justice should be addressed to His Lordship. As the subject matter does not appear to be so very important the letter referred to at 'A' on p 2 ante. may be addressed to the Registrar High Court. A draft letter is subd.

2 Home may see before issue

120173-I
25/8/50
CS I

18.8.50 yes
25.8.50

22-8-50

23/8/50

P.W.D 3396 P/50.2

ASSISTANT SECRETARY TO GOVERNMENT
24AUG1950
HOME DEPARTMENT

Home Dept.

The file was last seen in this dept on p 2 ante. P.W.D's further note above and the draft letter below may be perused. This dept may suggest that it would be enough to send a memo to the Registrar High Court, instead of a letter as proposed. P.W.D. may be requested to alter the draft suitably. The file may be returned to that dept.

26/8

120173 CS I, 26.8.50

26.8.50

ASSISTANT SECRETARY TO GOVERNMENT
24AUG1950
HOME DEPARTMENT

P.W.
17

ASSISTANT SECRETARY TO GOVERNMENT
24 AUG 1950
PUBLIC WORKS DEPARTMENT
4057

Home V.O. 120 173 CS I/50-1
28.8.50

P.W.D.(P)

Please see Home Depart. note above. A draft News. is subd.

29.8.50 yes
29.8.50

30.8.50

4

Issued as Memo M. 3396 P/50.3 P.W.D 30.8.50
From the Asst. Registrar, High Court M. Roc. B390/50. B2 8.9.1050

Please see the Memo. to the Registrar High Court on pt 3 of 4 and his reply on p5 of. A draft order is submitted.

161118
4.11.50

2. According to the procedure approved in G.O. 2373 Pub. dt 2.7.48, the Dt. Munsif, Penukonda will be a member of the arbitration Committee to be appointed by the Govt. in the case of Hindupur. Though the Hon'ble the Judges agree to the appointment of the Dt. Munsif, Penukonda, as a member of the Committee in the case of Hindupur, it doesnot seem necessary to mention this fact in the draft submitted since the proposal in the current file relates to the appointment of a Committee in the case of Kollegal. A copy of the Registrar's letter on p5 of may, however, be added to G.O. 2373 Pub. dt 2.7.48, and action taken as and when an occasion for the appointment of a Committee in the Cases of Hindupur arises.

3. The file may be sent to Home, Revenue and Finance for acceptance of the draft.

14.10.50.

A separate order may be issued for Hindupur and Kollegal. This may be in para-1 of draft. Para-2 of draft may deal with the present case. Please revise draft.

16.10.50

ASSISTANT SECRETARY TO GOVERNMENT
4-NOV 1950
HOME DEPARTMENT

A revised draft order is submitted below

30.10.50 30.10.50

Home, Rev and Fin. may see for acceptance.

1.11.50

Home
Rev
Fin.

P.W.D 3396 P/50.4
2.11.50

Home Dept 5

The file was last seen in this dept. on p3 ante. P.W.D's note on p4 ante and the draft order below may be perused and the file passed on to Rev. It does not seem necessary to mention the name of the present principal st. munsif, Coimbatore in the draft order with the above remarks the file may be passed on to Rev.

6.11.50

7.11.50

7/11

Rw

(7)

Home No 16111 8 Cto I/50-1
10.11.50

Rev 76867/B

Rev. Dept.

To As.

Notes from page 4 ante and the draft order below may be perused. The file may be passed on to Fin.

21/11/50

19.11.50 20/11/50

23/11

S

Rev 76867/B/50-1

11-50.

Fin(Cdt)

The draft order maybe perused and the Case returned to PWD.

28/11/50

29.11.50

P.W.S

P.W.D (P)

Please see notes on p5 above. A revised draft is subd. for approval with ref. to Home Dept note at 'A' above

Legal may also please see.

2.12.50 2/12/50

4.12.50

Legal.

D/VS

P

5604

P.wd 3396/50-5

5.12.50

P

Legal Department

The last sentence of paragraph 1 of the draft may be recast as follows:-

"His Excellency the Governor of Madras approves the proposal and directs--

(a) that the District Munsif, Penukonda, be appointed as a member of the Arbitration Committee for the Hindupur area; and

(b) that in the case of the Arbitration Committee for the Kollegal area, the Principal District Munsif, Coimbatore, be appointed as a member of the Committee when it sits at Coimbatore, and the Deputy Collector, Kollegal, who is ex officio the District Munsif, Kollegal, be appointed as a member of the Committee when it sits at Kollegal."

13/12/50 13/12/50

Legal no 19426/50-1
13.12.50.

P W (P) Dept

P.W.D (P)

ASSISTANT SECRETARY TO GOVERNMENT
P
11 DEC 1950
5948
PUBLIC WORKS DEPARTMENT

Please see notes on pp 5-6 above. A revised draft on the lines indicated by Legal is submd.

27.12.50.
27.12.50.

Pl. ascertain from Revs. and Home whether Civ. is necessary in this case, as their officers are to be appts. as members of the arbitration Committee, and secure reqn from X above. In any case, as Hon (PW) has to be, a note very short reqg for Civ. may be put up

29/12/50

Revd this C...

PWD
3396-P/50

7

The file relates to the proposal of the COE (S) to the appointment of arbitration Committees in order to settle the dispute between the Govt. Relev. Depart. and the Contractors with regard to the Compensation payable Consequent on the Change over of electric supply from 50 Cycles to 25 Cycles and of D.C to A.C. System in connection with Mysore power supply at Kollegal and Hindupur, and also the appointment of an arbitration Committee to settle the dispute, with regard to Compensation, between the Relev. Depart. and Sri. K.V. Adinarayana Settiar, Kollegal. The High Court was also consulted in the matter. The draft below which is self-explanatory is for approval. The draft is submitted in connection with Home, Revenue, Legal and Finance Depts.

2 May be circulated to H M (P.W) H M (L.R) H.M (E+L) and H C M - for approval of the Draft.

4-1-51 4-1-51

5-1-51

6/1 8-1 Hm (PW) Hm CLR Hm (E+L) H Cm

16/1

11/1

12-1 52

Issue

18/1/51

R.O.C. No.8390/50 B-2.

From

Sri V.Krishnaswami, B.A., B.L.,
Assistant Registrar, Appellate Side,
High Court, Madras.

To

The Secretary to Government,
Public Works Department, Madras.

Dated 22nd Jan. 1951.

Sir,

Sub: Electricity - Kollegal distribution scheme - change over from D.C. to A.C. - compensation - Arbitration - committee.

Ref: High Court's letter R.O.C.No.8390/50 B-2 dated 9-10-50.

I am to enquire when orders of Government may be expected in the above matter.

V. Krishnaswamy 28.1.51.
Assistant Registrar, App. Side.

PR/

P.W.D (P)

Orders were issued in G.O. No. 267 P.W. dt. 19.1.51. May be filed with the G.O.

30.1.51 30-1-51.

30.1.51